

Government of the District of Columbia
ZONING COMMISSION



ZONING COMMISSION ORDER NO. 689-E
Case No. 90-3C
(PUD & Map Amendment – Conference Center)
February 14, 2000

By Z.C. Order No. 689, dated March 11, 1991, the Zoning Commission for the District of Columbia approved the application of the Conference Center Associates Limited Partnership and the District of Columbia Office of Business and Economic Development (OBED). The application, as amended, requested consolidated review and approval of a planned unit development (PUD), and a related map amendment from unzoned property to C-2-A for Parcel 121/31 located at the northwest corner of the intersection of Michigan Avenue and Irving Street, N.E. The site consists of approximately 5.48 acres of land and is improved with a parking lot.

Z.C. Order No. 689 provided for the construction of a conference/training center with guest rooms. The center would primarily serve the needs of the surrounding institutional community. The facility, as approved, would not exceed 65 feet in height, would have a floor area ratio (FAR) of 1.42, a lot occupancy of 45 percent, and would provide a total of 237 parking spaces.

Z.C. Order No. 689 became final and effective on March 29, 1991, requiring the applicant, pursuant to 11 DCMR 2408.8 and 2408.9, to file an application for a building permit by March 29, 1993 and to begin construction by March 29, 1994.

By Z.C. Order Nos. 689-A, 689-B and 689-C, dated July 12, 1993, October 23, 1995 and December 8, 1997 respectively, the validity of the PUD was extended each time for two years. Order No. 689-A extended the validity of the PUD, requiring the applicant to file for a building permit by March 29, 1995, and requiring construction to begin by March 29, 1996. Z.C. Order No. 689-B extended the validity of the PUD, requiring the applicant to file for a building permit by March 29, 1997, and requiring construction to begin by March 29, 1998. Z.C. Order No. 689-C extended the validity of the PUD, requiring the applicant to file for a building permit by March 29, 1999 and requiring construction to begin by March 29, 2000. Z. C. Order No. 689-D extended the validity of the PUD, requiring the applicant to file for a building permit by December 31, 1999 and requiring construction to begin by December 31, 2000.

Pursuant to DCMR 2408.10 and 2408.11, the Zoning Commission has the authority to extend the validity of a PUD for good cause shown upon proper request of the applicant before the expiration of the PUD approval.

By letter dated December 30, 1999, counsel for the applicant requested a six-month extension of Z.C. Order Nos. 689, 689-A, 689-B, 689-C and 689-D. The letter indicated that the applicant had completed the working drawings for the project and was prepared to file a building permit application and plans by December 31, 1999, the expiration date for Z. C. Order No. 689-D. The applicant did not file, however, because the property owner, the Department of Housing and Community Development (DHCD), requested that the applicant postpone the filing for 90 days to provide significant time for DHCD's final review of the plans.

DHCD, by letter dated December 27, 1999, also filed a request with the Zoning Commission for an extension of the above-referenced Orders from December 31, 1999 to April 30, 2000. DHCD indicated that the request for the extension is based on the following reasons:

1. DHCD would like to analyze the finalizing documents of the developer, Conference Center Associates (CCA). The original Exclusive Right Agreement (ERA) has expired and DHCD has requested CCA to submit an updated proposal that includes a pro forma and financing package prior to the execution a new Exclusive Right Agreement.
2. DHCD will inform CCA that they have 90 days to come up with a complete financing package or DHCD's current consideration of the proposed PUD will be terminated.

DHCD further stated that it intends to have a development on the Fringe Parking Lot site that is beneficial to the District of Columbia and consider's CCA's PUD design for the site acceptable. However, DHCD wants to ensure that the developer is capable of such a development task and requested an extension of 120 calendar days on the PUD.

The applicant certified that copies of the extension request were served on Advisory Neighborhood Commissions (ANC) 4D and 5C.

Neither ANC-4D nor 5C commented on the request to extend the validity of the PUD.

On January 10, 2000, at its regular monthly meeting, the Commission considered all of the submissions related to this case. The Commission concurs with the applicant and DHCD and believes that an extension of the PUD for FOUR (4) months is in the best interests of the District of Columbia, is consistent with the intent and purpose of the Zoning Regulations and the Zoning Map, and is not inconsistent with the Comprehensive Plan for the National Capital.

In consideration of the reasons set forth in this order, the Zoning Commission for the District of Columbia hereby **ORDERS APPROVAL** of a four-month extension of the validity of Z.C. Order Nos. 689, 689-A, 689-B, 689-C and 689-D; that is until April 30, 2000, within which time the applicant must file for a building permit. Pursuant to 11 DCMR and 2408.9, construction must begin on or before April 30, 2001.

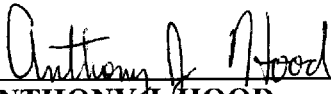
Z.C. ORDER NO. 689-E

CASE NO. 90-3C

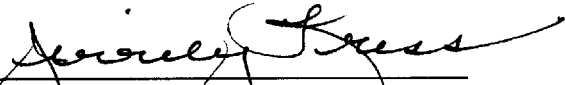
PAGE NO. 3

The Commission approved a four-month extension of this application and adopted this order at its monthly meeting on January 10, 2000; 5-0 (Herbert M. Franklin, John G. Parsons, Anthony J. Hood, Kwasi Holman and Carol J. Mitten, to approve and adopt).

In accordance with 11 DCMR 3028, this Order is final and effective upon publication in the D.C. Register; that is, on FEB 25 2000 .



ANTHONY J. HOOD
Chairperson
Zoning Commission



JERRILY R. KRESS, FAIA
Director
Office of Zoning

zco689-E/SDB